IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 11322 of 2004

Between:

Warangal Urban Cooperative Bank Ltd, Warangal,
rep. by its Chief Executive Officer.

..... PETITIONER

AND

1.Om Commercial Corporation Warangal, rep. by Smt. Sadula Venkatalaxmi
W/o Srinivas, aged 47 years, Occ: Business, R/o H.No. 17-2-522,

Kareemabad, Warangal District.
2.The Deputy Registrar of Coop. Societies, Warangal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Certiorari calling for the records relating to I.A.No.119 of 2004 in CTA.No.9 of 2004 dt. 27-5-2003 on the file of the A.P. Cooperative Tribunal, Warangal and quash the same by holding it as highly arbitrary, bad and illegal.

Counsel for the Petitioner: MR.P.PRABHAKAR REDDY

Counsel for the Respondents: GP FOR COOPERATION

The Court at the admission stage made the following:

ORDER:

This writ petition is filed questioning the order dated 27.05.2004 passed by the A.P. Cooperative Tribunal, Warangal (for short 'the Tribunal') in I.A.No.119 of 2004 in C.T.A.No.9 of 2004.

A perusal of the impugned order shows that pending the appeal filed under Section 76 of the A.P. Cooperative Societies Act by the first respondent, the Tribunal has stayed the proposed sale proceedings of the immovable property in E.P.No.75 of 2004 till 15.07.2004. The appeal is still pending and the impugned order is only an interim order of stay passed for a limited period. Hence, interference of this Court in exercise of jurisdiction under Article 226 of the Constitution of India is not warranted. It is open to the petitioner to urge all the points before the Tribunal and contest the application for stay. Accordingly granting leave and liberty, the writ petition is dismissed. No costs.

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02.11.2004

VGB

To

1.The Deputy Registrar of Co-Operative Societies, Warangal.

2.2CCs to the Government Pleader for Cooperation, High Court Buildings, Hyderabad (OUT)

3.2CD copies